

**DECLARATION AND POWER OF ATTORNEY Attorney's Docket No. 11982.105002 BDW002**

In re Application of: **Eric Francis MORAND, Magdy Naguib ISKANDER and Basil DANYLEC**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which patent is sought on the invention entitled: **NAPHTHHALENE DERIVATIVES WHICH INHIBIT THE CYTOKINE OR BIOLOGICAL ACTIVITY OF MACROPHAGE MIGRATION INHIBITORY FACTOR (MIF)**, the specification of which was filed June 6, 2003 as PCT/AU03/00716, and set forth in an application for Letters Patent filed with the U.S. Patent and Trademark Office on December 7, 2004, and has assigned U.S. Patent Application No. 10/517,240.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined by 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

<u>Application No.</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed Under 35 USC § 119 (a)-(d)</u>	
PS 2833	Australia	June 7, 2002	Yes <input checked="" type="checkbox"/>	No _____
PS 2834	Australia	June 7, 2002	Yes <input checked="" type="checkbox"/>	No _____

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

(Application No.) \_\_\_\_\_ (Filing Date) \_\_\_\_\_  
(Application No.) \_\_\_\_\_ (Filing Date) \_\_\_\_\_

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter disclosed and claimed in the present application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No. \_\_\_\_\_ Filing Date \_\_\_\_\_ Status: patented, pending, abandoned

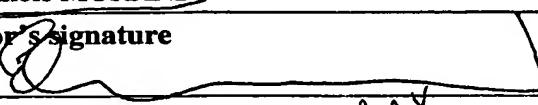
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Declaration and Power of Attorney  
U.S. Appl. No. 10/517,240  
Docket No. 11982.105002 BDW002

**POWER OF ATTORNEY:** I hereby appoint the practitioners associated with Customer Number 20786 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to: **KING & SPALDING LLP**  
Customer No. 20786  
191 Peachtree Street, 45<sup>th</sup> Floor  
Atlanta, Georgia 30303-1763

Direct telephone calls at (404) 572-4600  
Attn: Madeline I. Johnston, Ph.D., Esq.

<b>Full name of first inventor:</b> Eric Francis MORAND	Citizenship:	Australia
<b>Inventor's signature</b> 	Date: 3 Sept 05	
<b>Residence and Mailing Address</b> 107 Ruskin Street, Elwood, Victoria 3184, Australia		
<b>Full name of second inventor:</b> Magdy Naguib ISKANDER	Citizenship:	Australia
<b>Inventor's signature</b>	Date:	
<b>Residence and Mailing Address</b> 158 Beach Road, Sandringham, Victoria 3191, Australia		
<b>Full name of third inventor:</b> Basil DANYLEC	Citizenship:	Australia
<b>Inventor's signature</b>	Date:	
<b>Residence and Mailing Address</b> 10 Lyndhurst Crescent, Box Hill North, Victoria 3129, Australia		

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<b>Inventor's signature</b>	<b>Date:</b>	
<b>Residence and Mailing Address</b> 107 Ruskin Street, Elwood, Victoria 3184, Australia		
<b>Full name of second inventor:</b> Magdy Naguib ISKANDER	<b>Citizenship:</b>	<b>Australia</b>
<b>Inventor's signature</b>	<b>Date:</b> 5/9/05	
<b>Residence and Mailing Address</b> 158 Beach Road, Sandringham, Victoria 3191, Australia		
<b>Full name of third inventor:</b> Basil DANYLEC	<b>Citizenship:</b>	<b>Australia</b>
<b>Inventor's signature</b>	<b>Date:</b>	
<b>Residence and Mailing Address</b> 10 Lyndhurst Crescent, Box Hill North, Victoria 3129, Australia		

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<b>Inventor's signature</b>	<b>Date:</b>	
<b>Residence and Mailing Address</b> 158 Beach Road, Sandringham, Victoria 3191, Australia		
<b>Full name of third inventor:</b> Basil DANYLEC	<b>Citizenship:</b>	Australia
<b>Inventor's signature</b> <i>Basil Danylec</i>	<b>Date:</b> <i>21<sup>st</sup> Sept 2005</i>	
<b>Residence and Mailing Address</b> 10 Lyndhurst Crescent, Box Hill North, Victoria 3129, Australia		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Eric Francis Morand et al.Int'l. Filing Date June 6, 2003Application No./Patent No.: 10/517,240Filed/Issue Date: December 7, 2004Entitled: **NAPHTHHALENE DERIVATIVES WHICH INHIBIT THE CYTOKINE OR BIOLOGICAL ACTIVITY OF MACROPHAGE MIGRATION INHIBITORY FACTOR (MIF)**Cortical Pty Ltd  
(Name of Assignee)a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Li-Ping Ng

Signature

SU-PING NG

Printed or Typed Name

CHIEF EXECUTIVE OFFICER

Title

20th JULY 2005

Date

+61 3 9318 7270

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/517,240  
Applicant : Eric Francis MORAND et al.  
Conf. No.: 3978  
Filed : June 6, 2003  
TC/A.U. : 1600/1626  
Examiner : Not Yet Assigned  
Title : Napthalene Derivatives Which Inhibit the Cytokine or Biological Activity of Macrophage Migration Inhibitory Factor (MIF)  
Docket No. : 11982.105002 BDW002  
Customer No. : 20786

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY  
UNDER 37 C.F.R. § 3.71**

Sir:

Cortical Pty Ltd, the Assignee of record of the entire right, title and interest in the above-referenced application, under 37 C.F.R. § 3.71, hereby appoint the practitioners associated with Customer Number 20786 as our attorneys and agents to prosecute the application above, and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-referenced application to the address associated with Customer Number 20786.

Please direct all telephone calls relative to this application to Madeline I. Johnston, Esq. at (404) 572-4600.

**CORTICAL PTY LTD**

Date: 20th JULY 2005

Signature:   
Name: SU - PEING NG  
Title: CHIEF EXECUTIVE OFFICER  
Address: Commercial Office, Institute of Reproduction and Development, Monash University, 27-31 Wright Street, Clayton, Victoria 3191, Australia  
Assignment recorded on \_\_\_\_\_  
at Reel/Frame \_\_\_\_\_

**COPY**

**ASSIGNMENT**

THIS ASSIGNMENT, by **Eric Francis MORAND, Magdy Naguib ISKANDER and Basil DANYLEC** (hereinafter referred to as the assignors), residing at 107 Ruskin Street, Elwood, Victoria 3184, Australia; 158 Beach Road, Sandringham, Victoria 3191, Australia; and 10 Lyndhurst Crescent, Box Hill North, Victoria 3129, Australia, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in **NAPHTHTHALENE DERIVATIVES WHICH INHIBIT THE CYTOKINE OR BIOLOGICAL ACTIVITY OF MACROPHAGE MIGRATION INHIBITORY FACTOR (MIF)**, filed June 6, 2003 as PCT/AU2003/00716, and in an application for Letters Patent of the United States, bearing Application No. 10/517,240, each claiming priority to Australian Application No. PS 2833, filed June 7, 2002, and Australia Application No. PS 2834, filed June 7, 2002; and

WHEREAS, **CORTICAL PTY LTD**, a business duly organized under and pursuant to the laws of Australia and having a place of business at Commercial Office, Institute of Reproduction and Development, Monash University, 27-31 Wright Street, Clayton, Victoria 3168, Australia (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, improvements, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

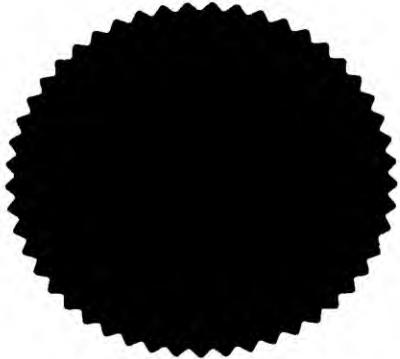
For the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successor, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

Assignment  
U.S. Patent Application No. 10/517,240  
Naphthalene Derivatives Which Inhibit the Cytokine or Biological  
Activity of Macrophage Migration Inhibitory Factor (MIF)

  
Eric Francis MORAND

STATE OF Victoria

Before me, a Notary Public in and for the State of Victoria, on this  
15 day of July, 2005, personally appeared **Eric Francis MORAND**, who being duly  
sworn, signed and acknowledged the foregoing Assignment as his free act and deed.

  
Gore Brett  
NOTARY PUBLIC

My Commission Expires: 15/6/2009

CHARLES BERNARD GORE BRETT  
NOTARY PUBLIC  
LEVEL 1, 12 COLLINS STREET  
MELBOURNE VIC  
AUSTRALIA

Assignment

U.S. Patent Application No. 10/517,240

Naphthalene Derivatives Which Inhibit the Cytokine or Biological  
Activity of Macrophage Migration Inhibitory Factor (MIF)

  
Magdy Naguib ISKANDER

STATE OF Victoria

Before me, a Notary Public in and for the State of Victoria, on this  
15 day of July, 2005, personally appeared Magdy Naguib ISKANDER, who being  
duly sworn, signed and acknowledged the foregoing Assignment as his free act and deed.

  
NOTARY PUBLIC

My Commission Expires. is lifelong

CHARLES BERNARD GORE BRETT  
NOTARY PUBLIC  
LEVEL 1, 12 COLLINS STREET  
MELBOURNE VIC  
AUSTRALIA

Assignment  
U.S. Patent Application No. 10/517,240

Naphthalene Derivatives Which Inhibit the Cytokine or Biological  
Activity of Macrophage Migration Inhibitory Factor (MIF)

  
Basil Danylec.

Basil DANYLEC

STATE OF VICTORIA

Before me, a Notary Public in and for the State of Victoria, on this  
15 day of July, 2005, personally appeared Basil DANYLEC, who being duly sworn,  
signed and acknowledged the foregoing Assignment as his free act and deed.

  
Charles Breti  
NOTARY PUBLIC

My Commission Expires: 15 October

CHARLES BERNARD GORE BRETI  
NOTARY PUBLIC  
LEVEL 1, 12 COLLINS STREET  
MELBOURNE VIC  
AUSTRALIA

K&S Docket No.: 11982.105002 BDW002

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this Transmittal Letter, Executed Statement Under 37 CFR 3.73(b), Executed Prosecution by Assignee and Power of Attorney Under 37 CFR 3.71, Executed Assignment (copy), Certificate of Mailing, and Postcard are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on October 3, 2005

Appl. No.: 10/517,240

Docket No.: 11982.105002 BDW002

Minikia Blair  
Name: MINIKIA BLAIR